



**MINUTES OF THE PUBLIC HEARING OF
MONDAY, DECEMBER 7, 2015
AT 200 HIGHLANDS BOULEVARD DRIVE
REGARDING
A FIVE-YEAR UPDATE ON THE HIGHLANDS DEVELOPMENT**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:00 p.m.

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

The following notice of the public hearing was then read:

“The City of Manchester, Missouri, will hold a public hearing at 7:00 p.m. on December 7, 2015, at the Manchester Police Facility, 200 Highlands Boulevard, in Manchester, Missouri. This hearing is being held pursuant to the requirements of Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended, to discuss the redevelopment project for the area known as the “Highway 141/Manchester Road Redevelopment Area” in the City of Manchester, Missouri to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plan for completion of such project.

The hearing is open to the public. The public is invited to submit written comments to the City prior to the date of the hearing at the address listed below. All interested persons will be given an opportunity to be heard at the public hearing.”

Mayor Willson advised that first the proponents would speak, then the opponents, and comments from the public, followed by questions from the members of the Board of Aldermen or the City staff.

Director of Finance Dave Tuberty stated Manchester is mandated to update the public on the progress of the Manchester Highlands tax increment financing (TIF) project. It is doing satisfactory progress. The development is on track and is in conformance with the plan that was adopted 10 years ago.

Alderman Clement stated it sounds like it has been successful but wondered if there was anything on the horizon that we should be looking at/for in anticipation.

Director Tuberty stated there isn't anything currently working with that is not widely known.

Alderman Hamill made the motion, based on the information submitted to the Board of Aldermen on this public hearing, that the Board find and determine the redevelopment project described in the Manchester Highlands plan is making satisfactory progress under the proposed time schedule contained within the approved plan for completion of such project. The motion was seconded by Alderman Clement and carried unanimously, without objection.

Mayor Willson closed the public hearing at 7:10 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MRCC-S
City Clerk

***Note:** This is a journal of the Public Hearing held Monday, December 7, 2015 regarding a five-year update of the progress of the Manchester Highlands Development, (summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.*



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
MONDAY, DECEMBER 7, 2015
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:10 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES

a. Minutes of the Monday, November 16, 2015 Regular Board of Aldermen meeting

Alderman Clement made the motion to approve the Minutes of the Regular Board of Aldermen meeting of November 16, 2015. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Hamill made the motion to approve the Order of Items on the Agenda as submitted. The motion was seconded by Alderman Clement and carried unanimously, without objection.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Comments from the Public

There were none.

6. REPORTS FROM THE MAYOR

a. Mayoral Report

Mayor Willson reported that, along with City Administrator Hixson, he went to Walmart in

Kirkwood to watch the donation of a \$25,000 grant to Lafayette Industries. Mayor Willson reported that he also attended the St. Louis County Municipal League Meeting in University City; on the 24th of November Alderman Ottenad invited him to attend St. Joseph's School and they gave a Proclamation to Mr. Brown (Mr. Brown retired after 29 1/2 Years); on the 28th he was involved with the annual Shop-With-a-Cop treating 38 kids to shopping at Walmart and pizza; on the 30th the Art's Council did another show at Lafayette Industries; on December 2, along with City Administrator Hixson, he attended the Parkway Breakfast called "Rise and Shine"; staff meeting on December 3; on December 4, he attended the Lafayette Area Mayors event in Ballwin; on December 5 the Parks Department had Breakfast with Santa, and on December 6, along with Alderman Clement and Alderman Ottenad, he attended the appreciation dinner at Tuckers for the Homecoming Committee.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of November 15 – December 5, 2015)

There were no questions.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement stated there have been no meetings lately, and he does not know when the next one will be.

b. Manchester Arts

Alderman Stevens stated they have an agreement with Parkway School District; some of the members went and met with them to keep the partnership alive and well. Parkway has been very generous to the Arts.

Alderman Stevens stated they continue to seek out resources to give future directions and ideas for the Manchester Art's Board.

9. ACTION ON OLD BILLS

a. BILL # 15-2244 - AN ORDINANCE APPROVING THE 2016 BUDGET

Alderman Clement read for the second time Bill # 15-2244, entitled: AN ORDINANCE ADOPTING AND APPROVING THE BUDGET FOR THE CITY OF MANCHESTER FOR THE YEAR JANUARY 1, 2016 THROUGH DECEMBER 31, 2016, AND APPROPRIATING SUCH SUMS AS SET FORTH HEREIN FOR ALL DEPARTMENTS AND ACCOUNTS THEREIN SPECIFIED", by title only.

Alderman Clement made the motion that Bill #15-2244 become Ordinance #15-2128. The motion was seconded by Alderman Ottenad.

A poll of the Board showed:

Alderman Hamill – aye

Alderman Diehl – aye
Alderman Baumann – aye
Alderman Ottenad – aye
Alderman Clement – aye
Alderman Stevens – aye

Mayor Willson announced that the motion passed by a vote of 6 – 0, with no objections.

b. BILL # 15-2245 - AN ORDINANCE AMENDING CERTAIN PROVISIONS
RELATING TO THE CITY’S SEWER LATERAL PROGRAM

Alderman Ottenad read for the second time Bill # 15-2245, entitled: “AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 520 OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER RELATING TO THE CITY’S SEWER LATERAL REPAIR PROGRAM”, by title only.

Alderman Ottenad made the motion that Bill # 15-2245 become Ordinance # 15-2129. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Diehl – aye
Alderman Baumann – aye
Alderman Ottenad – aye
Alderman Clement – aye
Alderman Stevens – aye
Alderman Hamill – aye

Mayor Willson announced that the motion passed by a vote of 6 – 0, with no objections.

c. BILL # 15-2246 - AN ORDINANCE APPROVING STP AGREEMENT WITH
MODOT FOR THE SPRING MEADOWS BRIDGE REPLACEMENT

Alderman Baumann read for the second time Bill # 15-2246, entitled: “AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION IN CONNECTION WITH A FEDERAL AID PROGRAM PROJECT RELATING TO THE CONSTRUCTION OF THE REPLACEMENT OF THE SPRING MEADOWS DRIVE BRIDGE IN THE CITY OF MANCHESTER”, by title only.

Alderman Baumann made the motion that Bill # 15-2246 become Ordinance # 15-2130. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Baumann – aye
Alderman Ottenad – aye
Alderman Clement – aye
Alderman Stevens – aye
Alderman Hamill – aye

Alderman Diehl – aye

Mayor Willson announced that the motion passed by a vote of 6 – 0, with no objections.

10. INTRODUCTION OF NEW BILLS

a. RESOLUTION APPROVING LOCAL PUBLIC AGENCY RIGHT-OF-WAY
NEGOTIATORS SERVICE AGREEMENT

Alderman Diehl read Proposed Resolution # 15-0544, entitled: “A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH O. R. COLAN GROUP, LLC IN AN AMOUNT NOT TO EXCEED EIGHTEEN THOUSAND SIX HUNDRED SEVENTY-FIVE DOLLARS (\$18,675.00) TO PERFORM RIGHT-OF-WAY ACQUISITION SERVICES FOR PROJECT STP 4939(605) HENRY AVENUE ROADWAY IMPROVEMENTS”, by title only.

Alderman Ottenad asked if the City will get 80 percent of this amount back.

Director of Public Works Bob Ruck answered that \$40,000 is part of that budget for right-of-way acquisition.

Alderman Ottenad asked how big the parcels are that we are going after and where they are.

Director Ruck answered they are two little strips where the survey determined that the existing sidewalk was located outside of the right-of-way; one is what was formally the fire department administration building area and the other one is on the curb of Aston’s property.

Alderman Diehl made the motion to approve Resolution # 15-0544. The motion was seconded by Alderman Clement and carried unanimously, without objection.

b. RESOLUTION APPROVING CONTRACT WITH DAVEY TREE

Alderman Diehl read Proposed Resolution #15-0545, entitled: “A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO AN AGREEMENT WITH THE DAVEY TREE EXPERT COMPANY, DOING BUSINESS AS DAVEY RESOURCE GROUP, IN AN AMOUNT NOT TO EXCEED THIRTY-ONE THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$31,550.00) TO PERFORM GIS-BASED PUBLIC TREE INVENTORY AND ASSOCIATED SERVICES”, by title only.

Alderman Ottenad asked if the trim grant covers all the costs or just a percentage.

Director Ruck answered it will be 80 percent of the amount. The grant will be a total of \$25,000, which is the maximum.

Alderman Diehl made the motion to approve Resolution # 15-0545. The motion was seconded by Alderman Clement and carried unanimously, without objection.

c. BILL APPROVING ADJUSTMENT TO 2015 BUDGET

Alderman Stevens introduced Bill # 15-2247, entitled: “AN ORDINANCE AMENDING

ORDINANCE NO. 14-2094 ADOPTING AND APPROVING THE BUDGET FOR THE CITY OF MANCHESTER FOR THE YEAR JANUARY 1, 2015 THROUGH DECEMBER 31, 2015, BY (1) INCREASING THE ESTABLISHED BUDGET FOR THE SANITARY SEWER REPAIR FUND BY THIRTY THOUSAND DOLLARS (\$30,000.00), AND (2) REDUCING THE SANITARY SEWER REPAIR FUND BALANCE FOR THE BEGINNING OF 2016 BY THIRTY THOUSAND DOLLARS (\$30,000.00)", by title only.

No further action at this time.

City Attorney Patrick Gunn stated in 2012 the Missouri Supreme Court, in the decision of the Street versus the Director of Revenue, ruled upon a case involving Craig Streets challenge of the Department of Revenue's assessment of sales taxes on a boat and a motor that he bought in the State of Maryland. The Supreme Court in that case ruled that no sales taxes were owed by Mr. Street. In 2013 the Missouri Legislature enacted House Bill 184 which re-imposes the sales tax on motor vehicles, trailers, boats and outboard motors because these items can be monitored by the Department of Revenue during the titling process. House Bill 184 also imposed a requirement on local governments to have an election to determine if the residents/registered voters of a municipality wanted to continue this sales tax. The election must be held by November of 2016.

City Attorney Gunn stated this Ordinance is the Staff's recommendation that a ballot proposition be placed on the ballot on April of this year to continue the sales tax that is now appropriate. The second Ordinance that is on the agenda relates to use tax; a use tax is imposed on purchases of goods of Missouri Residents from out of State vendors. He added that some products are exempt, and there are guidelines as far as expenditure amounts.

d. BILL CALLING FOR AN ELECTION CONCERNING LOCAL SALES TAX ON TITLING OF MOTOR VEHICLES, ETC.

Alderman Hamill introduced Bill # 15-2248, entitled: "AN ORDINANCE CALLING FOR AN ELECTION ON APRIL 5, 2016, TO SUBMIT A BALLOT PROPOSITION CONCERNING IMPOSING A LOCAL USE TAX AT THE SAME RATE AS THE LOCAL SALES TAX OF THE CITY OF MANCHESTER, MISSOURI ON PURCHASES FROM OUT-OF-STATE VENDORS THAT EXCEED TWO THOUSAND DOLLARS", by title only.

No further action at this time.

e. BILL CALLING FOR AN ELECTION CONCERNING IMPOSING A LOCAL SALES TAX ON PURCHASES OUT-OF-STATE OVER \$2,000

Alderman Hamill introduced Bill # 15-2249, entitled: "AN ORDINANCE CALLING FOR AN ELECTION ON APRIL 5, 2016, TO SUBMIT A BALLOT PROPOSITION CONCERNING CONTINUATION OF THE APPLICATION AND COLLECTION OF LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, BOATS, OUTBOARD MOTORS, AND TRAILERS THAT ARE PURCHASED FROM A SOURCE OTHER THAN A MISSOURI LICENSED DEALER", by title only.

No further action at this time.

11. MISCELLANEOUS

- a. Comments from the Public

12. ADJOURNMENT

At 7:44 p.m., there being no further business, Alderman Hamill made the motion to adjourn. The motion was seconded by Alderman Clement and carried unanimously, without objection. The meeting adjourned at 7:44 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MRCC-S
City Clerk

***Note:** This is a journal of the Board of Aldermen meeting held Monday, December 7, 2015 (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.*